

Message

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ECOS Urges U.S. EPA to Preserve State Flexibility, Announces Transition in Maine, & More

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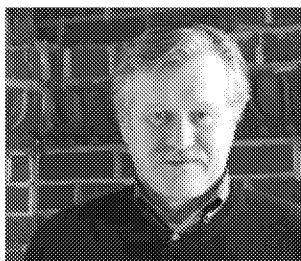
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ECOS Urges U.S. EPA to Preserve State Flexibility on GHG Standards

On October 26, ECOS filed a [comment letter](#) urging U.S. EPA to preserve the ability of states to adopt standards consistent with the flexibility afforded under the Clean Air Act (CAA) and cooperative federalism framework. Commenting on the Trump Administration's proposed [Safer Affordable Fuel-Efficient \(SAFE\) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks](#), which would loosen fuel economy and greenhouse gas emission standards, ECOS requests that EPA retain a [CAA waiver](#) of preemption granted to California to exceed federal standards.

In the comments, ECOS notes that the California waiver is supported by [Resolution 10-7: In Support of State Discretion to Regulate Pollutants within State Borders, the Retention of the Clean Air Act Waiver of California Emissions Standards, and the State Adoption of California Standards](#). [Poole]

Mercer Retiring from Maine DEP, Loyzim to Serve on Acting Basis



Maine Department of Environmental Protection Commissioner Paul Mercer will retire from state service November 9 following

two years at the helm of the agency. Governor Paul LePage announced this week that Deputy DEP Commissioner Melanie Loyzim – a familiar face at ECOS – will step in as Acting Commissioner.

In an announcement on the transition, Governor Paul LePage praised Mercer for protecting natural resources while working with businesses to expand Maine's economy. LePage cited Mercer's creation of a multimedia training program within the department as well as new environmental education curricula for students. He also has pushed for wastewater treatment infrastructure improvements. [Parisien]

Wyoming and U.S. EPA Sign MOA on State's Self-Audit Law



*Wyoming DEQ Director Todd Parfitt (left) with
U.S. EPA Region 8 Administrator Doug Benevento*

On October 26, the Wyoming Department of Environmental Quality (DEQ) and U.S. EPA entered into a Memorandum of Agreement to establish procedures and policies for administration of the Wyoming Audit Privilege and Immunity Law, or self-audit law. Under the agreement, EPA recognizes that Wyoming's self-audit law and policy encourage greater compliance with laws and rules protecting public health and the environment.

According to DEQ Director Todd Parfitt, the purpose of an environmental self-audit is for companies to identify and correct noncompliance, and improve future compliance. "The environmental self-audit will not replace the current efforts in our department for inspection and compliance of the regulated community," said Parfitt. "These audits are another tool that may be utilized to reduce noncompliance and achieve the environmental and health benefits for Wyoming and its citizens."

DEQ's Air Quality Division began outreach efforts to increase awareness of an environmental self-audit program in 2016. Since then, 3.3% of facilities statewide have been entered into the self-audit program and more than 3,500 tons-per-year of pollutant emissions have been reduced by correcting and adding controls to improve compliance.

According to DEQ, some of the other benefits gained from self-audits include:

- Improved public health and environmental protection through pollution reduction;
- Expedited corrective action which leads to more timely pollution reductions;
- Continued future benefits by preventing recurrence of noncompliance;
- Saved resources by allowing inspectors to focus on noncompliance at other facilities;
- Corrected noncompliance, thereby providing for a level playing field;
- Verified current compliance for companies;
- Cost savings through a change in the production or energy-saving process.

[Parisien]

State News You Can Use



Mississippi, Federal Agencies Sign Pact with Chevron on
Chemical Accident Prevention

Ohio Hosts Compliance Assistance Conference

New Mexico to Present at Produced Water Gathering

Virginia Makes VW Funds Investment in Electric Transit

Need-to-Know News in Air, Land and Waste, & Water

**U.S. EPA Proposes EPCRA Exemption for Livestock
Emissions Reporting**

Area of Focus: Air

On October 30, U.S. EPA Acting Administrator Andrew Wheeler signed a proposed rule amending the emergency release notification regulations under the Emergency Planning and Community Right-to-Know Act (EPCRA) to make clear that reporting of air emission from animal waste at farms is not required under EPCRA. Comments will be due 30 days after the proposed rule is published in the *Federal Register*.

The signing followed an October 29 roundtable hosted by the Missouri Farm Bureau and included Missouri Department of Natural Resources Director Carol Comer, the Missouri and U.S. Departments of Agriculture, agricultural leaders, and animal producers. Participants discussed the EPCRA exemption and the agency's proposal to repeal and replace of the 2015 Waters of the United States rule. [Poole]

Public e-Manifest Data Goes Live for First Time on RCRAInfo Web

Area of Focus: Land and Waste

In a milestone for the e-Manifest hazardous waste tracking system, public e-Manifest data went live for the first time on RCRAInfo Web on November 1. The e-Manifest system was developed under the auspices of E-Enterprise.

The Final Rule for the Modification of the Hazardous Waste Manifest System, Electronic Manifests (One Year Rule) directs that EPA release manifest data 90 days following receipt at the receiving facility. Data published include the manifest tracking number, id and name for all sites reported on the manifest, number and type of containers, waste codes, management methods, and quantity. [Parisien]

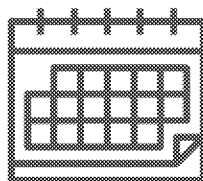
U.S. EPA Invites 39 Projects to Apply for WIFIA Loans

Area of Focus: Water

U.S. EPA is inviting 39 projects in 16 states and DC to apply for Water Infrastructure Finance and Innovation Act (WIFIA) loans. Together, the selected borrowers will receive WIFIA loans of approximately \$5 billion to help finance more than \$10 billion of water infrastructure investments, creating up to 155,000 jobs.

Of the selected projects, 12 will reduce lead or other drinking water contaminants and 37 will address aging infrastructure.

To learn more about the 39 projects that are invited to apply, click [here](#). For more information, please contact [Jack Bowles](#) of U.S. EPA. [Piper]



Upcoming Events

ITRC on Connecting the Science to Managing LNAPL Sites

The Interstate Technology & Regulatory Council (ITRC) will hold the second and third parts of a three-part online training course on *Connecting the Science to Managing LNAPL Sites* on **November 6 and November 13 at 1-3:15 p.m. Eastern**.

The newly updated Light Non-Aqueous Phase Liquids (LNAPLs) three-part training course series is based on the ITRC guidance [LNAPL Site Management: LCSM Evolution, Decision Process, and Remedial Technologies](#). *Part 2: LNAPL Conceptual Site Models and the LNAPL Decision Process* will teach participants how to develop an LNAPL conceptual site model (LCSM) and the overall framework for making LNAPL remediation and management decisions. *Part 3: Using LNAPL Science, the LCSM, and LNAPL Goals to Select an LNAPL Remedial Technology* will teach participants the importance of informed remedial technology selection and application.

Learn more and register [here](#). [Olonoff]

ECOS on PFAS

ECOS will hold its next PFAS Caucus call on **November 7 at 3 p.m. Eastern**. The Caucus is open to state and federal agency staff, as well as media associations and NGOs, and shares information and experiences on policy and regulation. The Caucus emphasizes gap analysis in PFAS regulation and policy. For questions on ECOS' PFAS work or this call, please email [Sarah Grace Longworth](#) of ECOS. [Longworth]

ECOS and U.S. EPA on Compliance Research for Effective Government

ECOS and U.S. EPA are hosting a new webinar series entitled *Compliance Research for Effective Government*. The series will help state and EPA program administrators understand how collaboration with academics can identify effective and measurable approaches to compliance.

The future webinar schedule is:

- **November 8, 1-2 p.m. Eastern: Compliance Interventions on the Behaviors of Third Party Lead Contractors.** Andrew Gosden, Maryland Department of the Environment, and Dr. Ben Meiselman, Johns Hopkins University.
- **November 29, 2-3 p.m. Eastern: Compliance Assurance Toolbox.** David Hindin, Office of Compliance, Office of Enforcement and Compliance Assurance, EPA.
- **December 11, 1-2 p.m. Eastern: New Hampshire Hazardous Waste Generator Training Program.** Tim Prospert, New Hampshire Department of Environmental Services, and Dr. Sarah Strafford, College of William and Mary.

Register for the webinars [here](#). For more information, please contact Sonia Altieri of ECOS. [Altieri]

U.S. EPA on R2R2R

U.S. EPA will host its monthly tools and resources webinar on **November 14 at 3-4 p.m. Eastern**. This webinar will highlight Remediation to Restoration to Revitalization (R2R2R), a framework for translating ecological consequences from remediation to restoration projects into environmental and socioeconomic benefits such as swimmable water, enhanced recreational amenities, and green spaces. EPA's Office of Research

Development hopes the effort will help states, Regions, and other partners to clean up contaminated sites in ways that not only reduce health and environmental risks, but that also help return these sites as valuable assets for local communities.

To register, see [here](#). [Longworth]

U.S. EPA on New Lean Management System

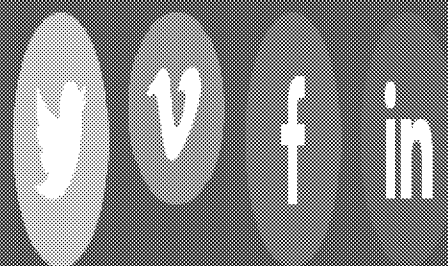
U.S. EPA invites states to attend its EPA Lean Management System (ELMS) Summit planned for **November 28-30** in Dallas, Texas. The meeting will feature ELMS trainings and presentations by a number of high-level EPA officials, as well as presentations by the Nebraska and Arizona Departments of Environmental Quality on their own lean management systems.

Interested states should contact [Owen McAleer](#) of ECOS for more information on meeting attendance and potential travel funding. State spots are limited and responses are requested by COB **November 6**. [McAleer]

U.S. EPA on Methane Mitigation

U.S. EPA's Natural Gas STAR and Methane Challenge Programs invite states to participate in the *Data-Driven Decision Making for Cost-Effective Methane Emission Mitigation* Workshop on **December 14**. ECOS has partnered with these U.S. EPA programs on methane reduction through the Shale Gas Caucus.

The workshop, to be held at Pacific Gas and Electric's facility in downtown San Francisco, will focus on the use of data and analytics in the oil and natural gas industry to drive operational changes to mitigate methane emissions. The workshop is free, but registration is required. Learn more and register [here](#). [Parisien]



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